

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services-Treasuries & Accounts Department-Sri M.Hari Hara Anand, Junior Accounts Officer, Accounts Branch, O/o Commissioner and Director of Agriculture, Hyderabad-Punishment of withholding of his annual grade increments of pay for a period of two years awarded by the D.T.A., Hyderabad-Appeal Petition-Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 3767

Dated.20-08-2010

Read the following:

- 1.D.T.A., Hyderabad Procs.No.K(II)8/14299/2002, dt.13.2.2009
- 2.Appeal Petition of Sri M.Hari Hara Anand, Junior Accounts Officer, Accounts Branch, O/o Commissioner and Director of Agriculture, Hyd.
- 3.Lt.No.K(II)8/810747/2010, dt.22.7.2010 of the DTA, Hyderabad

ORDER:

On the allegations of misleading the authorities by Sri M.Hari Hara Anand who has claimed L.T.C. for his married elder daughter, the following charge was framed against him.

Charge:

That Sri M.Hari Hara Anand, Junior Accounts Officer, Accounts Branch, O/o Commissioner and Director of Agriculture, Hyderabad while working as Senior Accountant at the O/o Director General and Inspector General of Police, A.P., Hyderabad has applied for LTC including his married elder daughter as family member, for whom he has already drawn Marriage Advance without declaring her dependency i.e., whether she was placed at the protection of her husband or not as required under LTC Rules and mislead the authorities and thereby acted as unbecoming of a Government Servant.

2. After following due procedure, the punishment of stoppage of two annual grade increments without cumulative effect was imposed on him vide reference 1st read above.

3. Aggrieved by that the individual has preferred appeal petition dt.24.6.2010 wherein he has stated that the detailed LTC bill submitted by him is neither submitted at P.A.O., Hyderabad duly countersigned nor returned to him so far by the then C.A.O., O/o the D.G.P., AP., Hyderabad. He has drawn only 80% of the LTC claim as advance for the purpose of 2nd class Railway tickets for his family consisting wife, mother and two daughters, hence the question of irregular drawal of LTC does not arise. He has also stated that after issue of the charge Memo. He never applied and availed LTC for the (4) block periods from 2001-2002 to 2007-2008 due to non-finalization of the case so far. He has stated that after lapse of (8) years period, punishment was imposed withholding annual grade increments for a period of two years without cumulative effect vide DTA Proceeding dt.13.2.2009. Moreover, orders were issued for the recovery of entire amount of Rs.1,760/- towards LTC advance and forfeiture of the facility of availing LTC for the rest of his service. He has remitted the LTC advance of Rs.1,760/- drawn, to the Government account vide Challan No.113966, dt.5.6.2009 as per the orders issued by the DTA, Hyderabad in his progs. dt.27.4.2009 and requested for setting aside the punishment or to reduce the same for one year instead of two years as he has suffered irreparable loss and hardship by loosing his promotion.

4. The DTA in his letter 3rd read above, has stated that the Charged Officer has taken advance for availing LTC during the block period 1999-2000 for self and his family members including his married elder daughter also and submitted the detailed bill. While scrutinizing the LTC claim the Chief Accounts Officer of that office has noticed that he claimed LTC to a married daughter and thereby misused the LTC facility. The petitioner was issued with a charge memo in DTA Office Memo. dt.14.12.2002 and in the enquiry conducted therein under Rule 20 of AP Civil Service (CC&A) Rules, 1991, the charge was held proved. Thereupon the charged officer was issued with an opportunity on the inquiry report in his office memo dated.12.4.2004. While a reply thereon was awaited from the petitioner, he was awarded with a punishment of reversion to the next lower rank of Senior Accountant for a period of (3) years with immediate effect and on

postponing future increments in his proceedings dated 12.05.2005 for certain charges proved against him in another disciplinary proceedings initiated for his misusing of the facility of marriage advance. In view of this punishment and as his representation on the above said show cause notice, dt. 12.4.2004 was awaited, final orders in the above said 1st case was kept pending and they were issued after his restoration to the cadre of Junior Accounts Officer and after providing him another opportunity to submit his representation vide DTA memo dated 3.11.2008. Final orders thereon were issued on 27.4.2009. In view of the above, the disciplinary proceedings taken against the petitioner are as per the procedures prescribed and whatever the delay that is caused in this matter is only because of the reasons attributable to the petitioner. The appellant is expressing grievance over the severity of the punishment and its effect on his promotion only. As far as this aspect is concerned it is a fact that he has been undergoing the above said punishments from 2005 onwards.

5. After careful examination of the Charge Memo., Written Statement, Enquiry Report, punishment order and the appeal petition, it is observed that the individual has stated that her married daughter was not placed under the protection of her husband and she is residing with him only for continuing her studies. He has submitted the LTC Bill but it was not claimed. If the claim is not according to Rules, the bill can be returned with audit objections or the ineligible amount can be disallowed at the time of passing the bill. In this case the bill has not even been submitted to the P.A.O. for audit. He also remitted back the advance drawn by him. He also gave assurance that he will never claim Leave travel concession in his entire service and he has not availed /claimed LTC subsequently till now. He also lost his promotion. Hence a lenient view is taken and decided to modify the punishment of withholding of his annual grade increments of pay for a period of two years without cumulative effect to that of withholding of his annual grade increment of pay for a period of one year without cumulative effect.

6. Government accordingly, hereby order that the punishment of withholding of his two annual grade increments of pay for a period of two years without cumulative effect awarded by the DTA, Hyderabad vide his Procs. Dt. 13.2.2009 is modified to that of withholding of his one annual grade increment of pay for a period of one year without cumulative effect.

7. The Director of Treasuries & Accounts, Hyderabad is requested to take necessary action in the matter accordingly.

8. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To
The individual
(through the DTA, Hyd.)
Copy to; the D.T.A., AP., Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER